

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

LEONARD C. A,

Case No. 1:20-cv-10015

Plaintiff,

Honorable Thomas L. Ludington  
United States District Judge

v.

Honorable Anthony P. Patti  
United States Magistrate Judge

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION AND GRANTING  
PLAINTIFF’S MOTION FOR ATTORNEYS’ FEES**

On January 3, 2020, Plaintiff Leonard C. A. sued the Commissioner of Social Security (Commissioner) following an administrative decision that denied his claim for disability insurance benefits. ECF No. 1. On March 25, 2020, based on the Parties’ stipulation, this Court remanded the case to the Social Security Administration (SSA) for further proceedings. *See* ECF Nos. 9; 10. On remand, after an Administrative Law Judge issued a decision unfavorable to Plaintiff, the Appeals Council for the SSA issued a fully favorable decision in September 2024. ECF No. 12 at PageID.28–29. And on March 9, 2025, the SSA informed Plaintiff about the benefits to which he is entitled. ECF No. 12-1 at PageID.38–39.

On March 26, 2025, Plaintiff’s Counsel—Attorney Charles A. Robison—moved for \$27,772.25 in attorneys’ fees under 42 U.S.C. § 406(b). ECF No. 12. The Commissioner neither supported nor opposed the Motion. *See id.* at PageID.32. This Court referred the Motion to Magistrate Judge Anthony P. Patti. ECF No. 14.

On April 28, 2025, Judge Patti issued a report (R&R), recommending that this Court grant Plaintiffs’ Motion. ECF No. 15. To that end, Judge Patti found that Plaintiff’s Counsel’s requested

amount of \$27,772.25 was reasonable based on the amount of work that he completed for the case when compared to prevailing market rates and his experience. *See id.* at PageID.54–59. Judge Patti also noted that, assuming this Court adopted the R&R, once Attorney Robison received the awarded attorneys’ fees, he would need to refund Plaintiff \$1,432.27 for fees that he had already received. *Id.* at PageID.59–60. Judge Patti provided the Parties 14 days to object, *id.* at PageID.60–61, but the Parties did not do so. Thus, they have forfeited their right to appeal Judge Patti’s findings. *See Berkshire v. Dahl*, 928 F.3d 520, 530–31 (6th Cir. 2019) (citing *Thomas v. Arn*, 474 U.S. 140, 149 (1985)). There is no clear error in the R&R.

Accordingly, it is **ORDERED** that Magistrate Judge Anthony P. Patti’s Report and Recommendation, ECF No. 15, is **ADOPTED**.

Further, it is **ORDERED** that Plaintiff’s Counsel’s Motion for Attorneys’ Fees, ECF No. 12, is **GRANTED**.

Further, it is **ORDERED** that the Commissioner of Social Security is **DIRECTED** to disburse **\$27,772.25** from the representative fees withheld from Plaintiff’s past-due benefits to Attorney Charles A. Robison, upon presentation of this Order. Upon receipt of this fee, Attorney Robison must refund Plaintiff **\$1,432.27**.

Dated: May 21, 2025

s/Thomas L. Ludington  
THOMAS L. LUDINGTON  
United States District Judge